

Implementing the IEP as Written:

Lessons Learned from Child Complaint Investigations

- ☛ Be specific! Districts are often found out of compliance because they think a modification such as “enlarge all print materials” is discretionary. Unless the IEP indicates “as needed” or “as requested by the student” or specifies specific print materials or subject areas, the district is accountable for enlarging ALL print materials the student uses. In a child complaint, the language on the IEP will be interpreted literally.
- ☛ Make sure all individuals who are expected to provide services or modifications and accommodations know and understand exactly what is expected of them. The child’s case manager should assure that information is communicated and understood clearly. Many child complaints are the result of one or more teachers or other professionals not knowing or not understanding what they must do according to the IEP.
- ☛ If a service such as speech therapy cannot be provided on a particular day or days, it needs to be made up by the appropriately certificated or licensed personnel and the parent should be informed that this will occur or has occurred. When you know in advance, it is often helpful to let the parent know ahead of time and tell them that all the time missed for that particular service will be made up and what the schedule will be for making up the time.
- ☛ Remember that anything you list on the IEP as a service, related service, supplementary aid and service, modification/accommodation, or support to school personnel must be provided exactly as written. Also, if you indicate through the location of services that a child will receive services in an integrated setting for specific periods of time, that must be followed as written. If you know in advance that this integration will be contingent upon the child’s behavior on that day and time, this should be specified in the IEP.
- ☛ All documentation should be clear enough that parents and all members of the staff could understand exactly what is expected.
- ☛ If a parent specifically requests a service, modification, or accommodation that you do not believe is necessary or appropriate for implementing the IEP, you need to provide a Notice of Action refused with all the required components of a Notice.